

BYLAWS OF THE ELECTRIC UTILITY COMMISSION

ARTICLE 1. NAME.

The name of the commission is the Electric Utility Commission.

ARTICLE 2. PURPOSE AND DUTIES.

- (A) The commission shall review and analyze all policies and procedures of the electric utility, including the electric rate structure, fuel costs and charges, customer services, capital investments, new generation facilities, selection of types of fuel, purchase of fuel, transportation of fuel, billing procedures, and the transfer of electric utility revenues from the utility fund to the general fund.
- (B) The commission shall advise the city council, the city manager, the electric utility, city departments, and city boards, commissions, and committees on policy matters relating to the electric utility. All advisory information given shall simultaneously be forwarded to the city manager.
- (C) The commission may review, study, and make recommendations to the Planning Commission on proposed electric utility projects for inclusion in the Capital Improvements Program.
- (D) The commission shall request that the city council hire an outside consultant every five years to make a comprehensive review of the policies and procedures of the electric utility. The commission may initiate an external or internal review of the policies and procedures of the electric utility. If the commission initiates a review, it shall report its findings to the city council and the city manager.
- (E) The commission shall interpret the role of the electric utility to the public and the role of the public to the electric utility. The commission may hold a public hearing and briefing session every six months to explain new policies and to take citizens comments, suggestions, and complaints.
- (F) The commission may make recommendations to the city council before final council action on a policy or procedure of the electric utility.
- (G) The commission shall request from the city manager any information which it deems to pertain to the electric utility.
- (H) The commission shall, as a body, review customer complaint procedures and specific customer grievances and complaints, and make recommendations to the city council and city manager based on its findings. This duty does not supersede, replace, or substitute for the appeal procedures provided to customers in the City Utility Service Regulations.

- (I) The commission shall seek to promote close cooperation between the city council, other city boards, committees, and commissions, city departments and individuals, institutions and agencies concerned with the policies, procedures, and operations of the electric utility to the end that all similar activities within the City may be coordinated to secure the greatest public welfare.

ARTICLE 3. MEMBERSHIP.

- (A) The commission is composed of seven members appointed by the city council.
- (B) A member serves at the pleasure of the city council.
- (C) Commission members serve for a term of three years beginning August 1st on the year of appointment.
- (D) An individual commission member may not act in an official capacity except through the action of the commission.
- (E) A commission member who is absent for three consecutive regular meetings or one-third of all regular meetings in a twelve month time period automatically vacates the member's position. This does not apply to an absence due to illness or injury if the member notifies the staff liaison of the reason for the absence no later than the next meeting of the commission.
- (F) At each meeting, each commission member shall sign an attendance sheet which indicates that the member does not have a conflict of interest with any item on that agenda, or identifies each agenda item on which the member has a conflict of interest.
- (G) A member who seeks to resign from the commission shall submit a written resignation to the chair of the commission, the staff liaison, or the city clerk's office. If possible, the resignation should allow for a thirty day notice so the city council can appoint a replacement.

ARTICLE 4. OFFICERS.

- (A) The officers of the commission shall consist of a chair and a vice-chair.
- (B) Officers shall be elected annually by a majority vote of the commission at the first regular meeting in August. In the event a current officer becomes ineligible to serve as an officer, the board may hold an emergency election as needed.
- (C) The term of office shall be one year, beginning September 1 and ending August 31. An officer may continue to serve until a successor is elected. A person may not serve as an officer in a designated position of a board for more than three consecutive one-year terms. A person who has served as an officer in a designated position of a board for three consecutive terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office.
- (D) A member may not hold more than one office at a time.

ARTICLE 5. DUTIES OF OFFICERS.

- (A) The chair shall preside at commission meetings, appoint all committees, and represent the commission at ceremonial functions.
- (B) In the absence of the chair, the vice-chair shall perform all duties of the chair.

ARTICLE 6. AGENDAS.

- (A) Two or more commission members may place an item on the agenda by oral or written request to the staff liaison at least five days before the meeting.
- (B) The staff liaison shall prepare and distribute the agenda to the commission members not less than 72 hours before the meeting.
- (C) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 7. MEETINGS.

- (A) The commission meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).
- (B) Commission meetings shall be governed by Robert's Rules of Order.
- (C) The commission may not conduct a closed meeting without the approval of the city attorney.
- (D) The regular meeting of the commission shall be held on the third Monday of each month at 6:00 p.m., at the Town Lake Center, 721 Barton Springs Road, Austin, Texas, unless otherwise determined by the commission. If the regular meeting day is a holiday, the meeting will be held on the following Monday of the month.
- (E) The chair may call a special meeting, and the chair shall call a special meeting if requested by three or more members. The call shall state the purpose of the meeting. A notice of a special meeting must be in writing and sent to all members at least three days before the meeting.
- (F) Four members constitute a quorum.
- (G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting may not be held.
- (H) To be effective, a commission action must be adopted by affirmative vote of not less than the four members.
- (I) The chair has the same voting privilege as any other member.
- (J) The commission shall allow citizens to address the commission on agenda items and during a period of time set aside for citizen communications. The chair may limit a speaker to three minutes.

- (K) The staff liaison shall prepare the commission minutes. The minutes of each commission meeting must include the vote of each member on each item before the commission and indicate whether a member is absent or failed to vote on an item.
- (L) The electric utility department shall retain all official commission documents. The documents are public records under Texas Local Government Code Chapter 552 (Texas Public Information Act).
- (M) The chair shall adjourn a meeting not later than 10 p.m., unless the commission votes to continue the meeting.

ARTICLE 8. COMMITTEES.

- (A) Each standing or special committee must be established by an affirmative vote of the board. Each committee shall consist of at least three commission members appointed by the chair. A staff member shall be assigned to each committee by the director of the electric utility department.
- (B) The commission chair shall appoint a committee member as the committee chair, with the member's consent.
- (C) A majority of the total number of appointed committee members constitutes a quorum.
- (D) Each standing committee shall meet on a regularly scheduled basis at least quarterly.
- (E) Each standing committee shall make an annual report to the commission at the January commission meeting.
- (F) Committee meetings must be posted in accordance with Texas Government Code Chapter 551 (Texas Open Meetings Act).

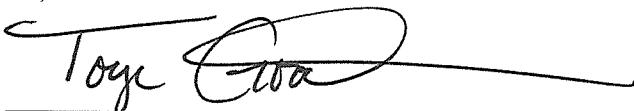
ARTICLE 9. PARLIAMENTARY AUTHORITY.

The rules contained in the current edition of Robert's Rules of Order shall govern the commission in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of order which the commission or city council may adopt.

ARTICLE 10. AMENDMENT OF BYLAWS.

A bylaw amendment is not effective unless approved by the Council Audit and Finance Committee.

The bylaws were approved by the Electric Utility Commission at their meeting held on August 16, 2010.



Toye Goodson, Staff Liaison